

TOD L. GAMLEN (SBN: 83458)
KEITH L. WURSTER (SBN: 198918)
BAKER & MCKENZIE LLP
660 Hansen Way
Palo Alto, CA 94304-1044
Telephone: (650) 856-2400
Facsimile: (650) 856-9299
Emails: tod.gamlen@bakermckenzie.com; keith.wurster@bakermckenzie.com

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
NORTHERN DIVISION**

STIPULATION AND ~~PROPOSED~~ ORDER FOR EXTENSION OF TIME TO SUBMIT PROPOSED TRIAL SCHEDULE
Case No.: CV 10-05615 ISW

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Rule 6-1(b) of the Civil Local Rules of the United States District Court, Northern District of California, Plaintiff U2 HOME ENTERTAINMENT, INC., a California corporation, doing business as CENTURY HOME ENTERTAINMENT and TAI SENG ENTERTAINMENT (“U2” or “Plaintiff”), on the one hand, and Defendant iTALK GLOBAL COMMUNICATIONS, INC., doing business as iTALKBB (“Defendant” or “iTalk”), on the other hand, hereby agree and stipulate as follows:

WHEREAS, a Case Management Conference was held in this matter on July 22, 2011, at 1:30 p.m. in Courtroom 11; and

WHEREAS, at the Case Management Conference the Honorable Judge Jeffrey S. White ordered counsel for U2 and Defendant iTalk to submit a supplemental CMC Statement (“Supplemental CMC Statement”) setting forth a schedule for the pre-trial proceedings (to cover up to the hearing date for dispositive motions) by no later than July 29, 2011; and

WHEREAS, Plaintiff and Defendant iTalk previously stipulated, and this Court ordered on August 1, 2011, that Plaintiff and Defendant iTalk would submit the Supplemental CMC Statement by no later than August 29, 2011; and

WHEREAS, all of the parties to this case, including Defendant HANYA STAR CULTURE & TECHNOLOGY CO., LTD., a foreign corporation doing business in California, and doing business as HANYA STAR COMPANY, INC., who has not yet been served, have been engaging in settlement discussions, which discussions have included the preparation and distribution of drafts of written settlement agreement(s), and are very close to reaching a settlement of this matter; and

WHEREAS, one or more parties have asked their counsel not to engage in additional work pending the outcome of such settlement discussions; and

WHEREAS, in light of these events the parties believe it would serve judicial economy and conserve resources if the time to submit the Supplemental CMC Statement be extended by thirty (30) days so that the parties can hopefully complete a settlement of this matter without incurring additional attorneys’ fees; and

WHEREAS, Rule 6-1(b) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to request an enlargement of time by stipulation in writing;

1 and

2 WHEREAS, this is the second request for extension of the date by which Plaintiff and
3 Defendant iTalk will submit the Supplemental CMC Statement; and

4 WHEREAS, Plaintiff and Defendant iTalk agree that the requested enlargement of time will
5 allow the parties adequate time to further discuss settlement and potentially reach a settlement of this
6 matter; and

7 WHEREAS, Plaintiff and Defendant iTalk agree that the date by which Plaintiff and iTalk shall
8 submit the Supplemental CMC Statement shall be no later than September 29, 2011; and

9 NOW THEREFORE, Plaintiff and Defendant iTalk, by and through their respective
10 undersigned counsel, hereby stipulate that the time for the Plaintiff and Defendant iTalk to submit the
11 Supplemental CMC Statement that was ordered by the Court at the July 22, 2011, Case Management
12 Conference be extended up to and including September 29, 2011;

13 SO STIPULATED.

14 IDELL & SEITEL LLP

15 Dated: August 24, 2011

By: /Richard J. Idell/

16 Richard J. Idell

17 *Attorneys for Plaintiff U2 HOME ENTERTAINMENT,*
INC.

18 Dated: August 24, 2011

BAKER & MCKENZIE LLP

19 By: /Tod L. Gamlen/

20 Tod L. Gamlen

21 Attorneys for Defendant

22 *iTALK GLOBAL COMMUNICATIONS, INC. dba iTALK*
BB

23 **ATTESTATION OF CONCURRENCE**

24 I, Richard J. Idell, attest that I am one of the attorneys for Plaintiff U2 Home Entertainment,
25 Inc., and as the ECF user and filer of this document, I attest that, pursuant to General Order No.
26 45(X)(B), concurrence in the filing of this document has been obtained from Tod L. Gamlen, the above
27 signatory.
28


1 Dated: August 24, 2011

By: /Richard J. Idell/
Richard J. Idell

3 ~~**PROPOSED**~~ **ORDER**

4 **IT IS SO ORDERED.**

5
6 Dated: August 25, 2011


Hon. Jeffrey S. White
Judge of the United States District Court
Northern District of California